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Attorneys for Secured Creditor



Order Filed on March 31, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

| | |
|---|--|
| In re: Elsworth A. Ungemah, Mary Ann E. Ungemah, <i>aka Mary Ann E. Johnson</i> <i>aka Mary Ann E. Caldeira</i> Debtors. | Chapter 13 Case No. 18-12714-MBK Hearing Date: March 23, 2022 at 9:00 a.m. Judge: Michael B. Kaplan |
|---|--|

**CONSENT ORDER RESOLVING SECURED CREDITOR'S CERTIFICATION OF
DEFAULT AND PROVIDING FOR CURE OF POST-PETITION ARREARS**

The relief set forth on the following pages, number two (2) through three (3) is hereby

ORDERED

DATED: March 31, 2022


Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtors: Elsworth A. Ungemah
Case No.: 18-12714-MBK
Caption of Order: **CONSENT ORDER RESOLVING SECURED CREDITOR'S
CERTIFICATION OF DEFAULT AND PROVIDING FOR
CURE OF POST-PETITION ARREARS**

THIS MATTER having been opened to the Court upon the Certification of Default filed by U.S. Bank National Association, as Trustee for Banc of America Funding 2008-FT1 Trust, Mortgage Pass-Through Certificates, Series 2008-FT1 as serviced by Nationstar Mortgage LLC d/b/a Mr. Cooper ("Movant"), and Elsworth A. Ungemah and Mary Ann E. Unemah (collectively the "Debtors") having filed an opposition thereto, with respect to Movant's lien on the property known as 8 Laurelhurst Drive, Brick, New Jersey 08724 (the "Property"), and the Court noting the consent of the parties to the form, substance, and entry of the within Order, and for good cause shown ORDERED that:

ORDERED AS FOLLOWS:

1. Debtors are delinquent two (2) post-petition payments due February 1, 2022 through March 1, 2022, each in the amount of \$854.52, less suspense of \$71.21, for a total delinquency of \$1,637.83
2. Debtors shall file a Modified Chapter 13 Plan within fourteen (14) days of entry of this Order to include delinquency in the amount of \$1,637.83. This amount shall be scheduled by the Chapter 13 Trustee as a supplemental secured claim.
3. Movant may file a supplemental claim for the amounts advanced.
4. Debtors shall resume post-petition payments to be paid timely and in full with the April 1, 2022 payment.
5. If Debtors should default and fail to amend the plan or make future post-petition payments to Movant that come due during the pendency of this case for thirty (30) days from the due date, Movant's counsel may submit a certification of default and the Court may enter an Order vacating the automatic stay permitting Movant to proceed with its action against the Property.

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Debtors: Elsworth A. Ungemah
Case No.: 18-12714-MBK
Caption of Order: **CONSENT ORDER RESOLVING SECURED CREDITOR'S
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-
6. Debtor shall pay attorney fees for the motion for relief in the amount of \$200.00 to be paid as an administrative claim through the plan.
7. Upon dismissal, discharge chapter conversion, or relief from stay, the foregoing terms and conditions shall cease to be binding payments will be due pursuant to the terms of the original loan agreement and Movant may proceed to enforce its remedies under applicable non-bankruptcy law against the Real Property and/or against the Debtors.

Consent to Form and Entry

McCalla Raymer Leibert Pierce, LLC
Attorney for the Secured Creditor

By: 
Phillip Raymond

Date: 3.22.2022

Lee M. Perlman
Attorney for the Debtors

By: /s/ Lee M. Perlman
Lee Martin Perlman

Date: March 17, 2022

In re:
Elsworth A. Ungemah
Mary Ann E. Ungemah
Debtors

Case No. 18-12714-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Mar 31, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

| Symbol | Definition |
|--------|--|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 02, 2022:

| Recip ID | Recipient Name and Address |
|----------|---|
| db/jdb | + Elsworth A. Ungemah, Mary Ann E. Ungemah, 8 Laurelhurst Drive, Brick, NJ 08724-3644 |

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 02, 2022

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 31, 2022 at the address(es) listed below:

| Name | Email Address |
|--------------------------|---|
| Albert Russo | docs@russotrustee.com |
| Aleisha Candace Jennings | on behalf of Creditor U.S. Bank National Association As Trustee for Banc of America Funding 2008-FT1 Trust, Mortgage Pass-Through Certificates, Series 2008-FT1 ajennings@raslg.com |
| Kevin Gordon McDonald | on behalf of Creditor U.S. Bank National Association as Trustee...et al kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com |
| Laura M. Egerman | on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE bkyecf@rasflaw.com, bkyecf@rasflaw.com;legerman@rasnj.com |
| Lee Martin Perlman | |

District/off: 0312-3

User: admin

Page 2 of 2

Date Rcvd: Mar 31, 2022

Form ID: pdf903

Total Noticed: 1

on behalf of Debtor Elsworth A. Ungemah ecf@newjerseybankruptcy.com
mcdoherty@ecf.courtdrive.com;hspivak@ecf.courtdrive.com

Lee Martin Perlman

on behalf of Joint Debtor Mary Ann E. Ungemah ecf@newjerseybankruptcy.com
mcdoherty@ecf.courtdrive.com;hspivak@ecf.courtdrive.com

Melissa N. Licker

on behalf of Creditor U.S. Bank National Association as Trustee for Banc of America Funding 2008-FT1 Trust, Mortgage
Pass-Through Certificates, Series 2008-FT1 as serviced by Nationstar Mortgage LLC d/b/a Mr. Cooper mlicker@hillwallack.com,
HWBKnewyork@ecf.courtdrive.com

Melissa N. Licker

on behalf of Creditor U.S. Bank National Association As Trustee for Banc of America Funding 2008-FT1 Trust, Mortgage
Pass-Through Certificates, Series 2008-FT1 mlicker@hillwallack.com, HWBKnewyork@ecf.courtdrive.com

Phillip Andrew Raymond

on behalf of Creditor U.S. Bank National Association As Trustee for Banc of America Funding 2008-FT1 Trust, Mortgage
Pass-Through Certificates, Series 2008-FT1 phillip.raymond@mccalla.com, mccallaecf@ecf.courtdrive.com

Phillip Andrew Raymond

on behalf of Creditor U.S. Bank National Association as Trustee for Banc of America Funding 2008-FT1 Trust, Mortgage
Pass-Through Certificates, Series 2008-FT1 as serviced by Nationstar Mortgage LLC d/b/a Mr. Cooper
phillip.raymond@mccalla.com, mccallaecf@ecf.courtdrive.com

Sindi Mncina

on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE smncina@raslg.com

Sindi Mncina

on behalf of Creditor U.S. Bank National Association As Trustee for Banc of America Funding 2008-FT1 Trust, Mortgage
Pass-Through Certificates, Series 2008-FT1 smncina@raslg.com

Sindi Mncina

on behalf of Creditor U.S. Bank National Association as Trustee...et al smncina@raslg.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 14